

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

MICHAEL ASHFORD

versus

AEROFRAME SERVICES, LLC AND  
AVIATION TECHNICAL SERVICES, INC.

CIVIL ACTION NO. 2:14-cv-992

JUDGE WALTER

MAGISTRATE JUDGE KAY

**ATS'S EX PARTE MOTION FOR LEAVE TO FILE SECOND SUPPLEMENTAL  
MEMORANDUM SUGGESTING APPROPRIATE SANCTIONS, WITH EVIDENCE**

NOW INTO COURT, through undersigned counsel, comes Defendant Aviation Technical Services, Inc. ("ATS"), who moves this Court for leave to file the attached Second Supplemental Memorandum Suggesting Appropriate Sanctions, With Evidence, and states as follows:

1.

ATS seeks leave to file the Second Supplemental Memorandum and the exhibits thereto in advance of the hearing on what amount of sanctions would be appropriate, scheduled for August 10, 2021, to update the Court on the additional attorneys' fees and costs incurred by ATS after those fees and costs submitted with ATS's Supplemental Memorandum Suggesting Appropriate Sanctions. Rec. Doc. 311.

2.

Supplemental declarations of ATS's attorneys, R. Patrick Vance and Samuel B. Gabb, and exhibits thereto, including the contemporaneous invoices of Jones Walker LLP and Plauché, Smith & Nieset, LLC, are attached to the Second Supplemental Memorandum.

3.

Together with Mr. Vance's and Mr. Gabb's original and previous supplemental declarations and exhibits, the instant submission demonstrates that, as a direct result of the egregious bad faith actions taken by the Sanctioned Parties to deny ATS its right to a federal forum and the pursuit of meritless claims against ATS in 15 separate cases, ATS has now incurred more than \$1.75 million in attorneys' fees and costs.

4.

This Court has authorized the parties to make submissions to update previous submissions in open court at the hearing on August 10, 2021. Rec. Doc. 324.

5.

ATS's proposed Second Supplemental Memorandum Suggestion Appropriate Sanctions and the exhibits thereto are the submissions that ATS intends to make at the hearing.

6.

On August 5, 2021, undersigned counsel for ATS sent an e-mail to counsel for the Sanctioned Parties to determine whether there was any opposition to this Motion. Only David Frohn, counsel for Thomas A. Filo and Somer G. Brown, replied. Mr. Frohn confirmed that he has no objection to this Motion.

WHEREFORE, Aviation Technical Services, Inc. prays that this Court grant this *Ex Parte* Motion for Leave to File Second Supplemental Memorandum Suggestion Appropriate Sanctions, With Evidence, and that the attached Memorandum and exhibits thereto be entered into the record of the above-captioned matter.

Respectfully submitted,

/s/ Brett S. Venn

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